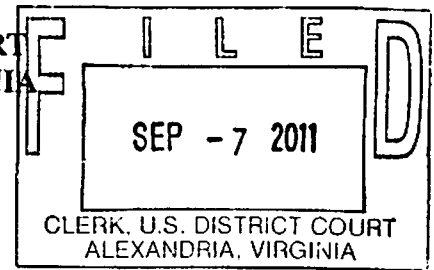


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**



-----X	:	
WhitServe LLC,	:	
	:	
Plaintiff,	:	Misc. Action No.
	:	1:11-mc-00024-TSE -IDD
v.	:	
	:	
Dennemeyer & Co. LLC, et al.	:	
	:	
Defendants.	:	
-----X	:	

STIPULATED DISMISSAL AS MOOT

The parties to this miscellaneous discovery action stipulate to this dismissal of this action as moot on the following grounds:

1. Plaintiff WhitServe LLC ("WhitServe") filed a patent infringement action against several defendants, including Patrix USA, Inc. and Patrix AB (together, "Patrix"), in the federal court in Connecticut. *WhitServe LLC v. Dennemeyer & Co. LLC, et al.*, No.3:10-cv-01182 RNC (D. Conn. filed July 27, 2010). WhitServe and Patrix have entered into a settlement agreement to resolve and dismiss the Connecticut Action with prejudice.

2. This miscellaneous matter is before the Court on two motions to quash: one filed by Patrix, and the other filed by Birch Stewart Kolasch & Birch LLP ("BSKB"). BSKB is a customer of Patrix, which had been served with a Rule 45 subpoena in this District by WhitServe to obtain discovery for use in the Connecticut Action.

3. Based on the settlement of the Connecticut Action, this miscellaneous discovery action now is moot.

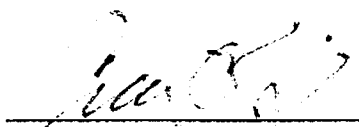
WHEREFORE, WhitServe, Patrix, and BSKB now stipulate that this miscellaneous action, together with the pending motions to quash, should be dismissed as moot, each party to bear its own costs and fees.

SO ORDERED this 7th day of Sep 2011.

Alexandria, Virginia



Ivan D. Davis
United States Magistrate Judge

WE STIPULATE TO THIS:

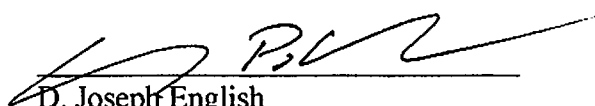

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PATRIB AB AND PATRIB USA, INC.

WHEREFORE, WhitServe, Patrix, and BSKB now stipulate that this miscellaneous action, together with the pending motions to quash, should be dismissed as moot, each party to bear its own costs and fees.

SO ORDERED this _____ day of _____ 2011.

Alexandria, Virginia


Ivan D. Davis
United Magistrate Judge

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